

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JASON DARNELL MOBLEY,)	
)	
Plaintiff,)	
)	
v.)	1:17CV116
)	
GUILFORD CO. PROBATION,)	
et al.,)	
)	
Defendants.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 20, 2017, was served on the parties in this action. Plaintiff objected to the Recommendation. (Docs. 6, 7 and 8.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a *de novo* determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.¹

¹Through his objections, Plaintiff seeks to amend his individual capacity allegations against Defendant "R. Stone, Probation Officer." (Doc. 6 at 1-2.) However, even considering the complaint in light of Plaintiff's new allegations, it still fails to state a claim for relief under 42 U.S.C. § 1983, as Plaintiff has not provided enough factual matter to establish that Defendant Stone violated Plaintiff's federal constitutional rights. Moreover, Plaintiff seeks to amend his complaint with cursory allegations of "civil conspiracy, intentional infliction of emotional distress, abuse of process, and malicious prosecution" as

IT IS THEREFORE ORDERED that Plaintiff's claim(s) against "B. Henderson, Probation Officer" and "R. Stone, Probation Officer" (collectively the "Officer Defendants") in their individual capacities are DISMISSED WITHOUT PREJUDICE, and that Plaintiff's claim(s) against Defendant "Guilford Co. Probation," as well as his claim(s) for monetary relief against the Officer Defendants in their official capacities are DISMISSED WITH PREJUDICE.

A Judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder
United States District Judge

May 25, 2017

well as violation of the North Carolina Constitution. (Doc. 8 at 2.) Apart from the fact that such conclusory statements fail to assert valid claims, these would constitute State law claims, and in the absence of any basis for federal jurisdiction this court is without jurisdiction to proceed on such claims.